

IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE
W/S Howard Avenue, 110' S of * ZONING COMMISSIONER
the c/l of Bayside Avenue (9302 Howard Avenue) * OF BALTIMORE COUNTY
15th Election District * Case No. 91-106-A
7th Councilmanic District
Charles V. Niemeyer
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit an accessory building (detached covered carport) to be located in the front yard in lieu of the required rear yard, with a street right-of-way setback of 16 feet in lieu of the required average front setback of 29 feet, all as more particularly described in Petitioner's Exhibit 1.

The Petitioner originally filed his request through the Administrative Variance process. After reviewing the case file, the Zoning Commissioner concluded that the subject building was too close to the road and decided that a public hearing was necessary to determine the appropriateness of the variance requested.

The Petitioner appeared and testified. Also appearing on behalf of the Petition was Steven K. Broyles, Engineer. There were no Protestants.

Testimony indicated that the subject property, known as 9302 Howard Avenue, consists of .269 acres, zoned D.R. 5.5 and is improved with a single family dwelling. Said property is located within the Chesapeake Bay Critical Areas near Shallow Creek. Testimony indicated Petitioner is desirous of constructing a detached covered carport over the existing driveway in the front yard as depicted on Petitioner's Exhibit 1. Petitioner's Exhibit 2 depicts the location of the front average setback line which runs through the proposed location of the carport. Petitioner testi-

fied the carport cannot be constructed to the rear of the property, which is heavily wooded, and its location on the opposite side of the dwelling, besides being impractical, would require extensive grading. Testimony indicated the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

After due consideration of the testimony and evidence presented, the relief requested, as hereinafter modified, should be granted. In the opinion of the Zoning Commissioner, the proposed carport can be constructed 22 feet from the street centerline in lieu of the requested 16 feet and still accommodate Petitioner's needs. The lesser variance will move the proposed carport further back behind the average front setback line resulting in its construction being more in keeping with the zoning regulations. The relief requested, as modified, sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay

Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. Clearly, the request is not based upon conditions or circumstances which are the result of the Petitioner's actions, nor does the request arise from a condition relating to land or building use, either permitted or nonconforming, on another property. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is

compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested, as modified, should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9/10 day of December, 1990 that the Petition for Zoning Variance to permit an accessory building (detached covered carport) to be located in the front yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance to permit a street right-of-way setback of 22 feet in lieu of the required 29 feet for the proposed carport, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The relief granted herein is limited to an open covered carport to be constructed 22 feet from the street centerline, 6 feet of which will be alongside the existing dwelling. The subject carport shall not be enclosed and shall remain open on the exposed sides.
- 3) Prior to the issuance of any building permits, Petitioner shall submit a revised site plan setting forth the new location of the proposed carport incorporating the relief granted herein.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

ORDER RECEIVED FOR FILING
Date 12/3/90
By [Signature]

ORDER RECEIVED FOR FILING
Date 12/3/90
By [Signature]

ORDER RECEIVED FOR FILING
Date 12/3/90
By [Signature]

ORDER RECEIVED FOR FILING
Date 12/3/90
By [Signature]

- 2 -

- 3 -

- 4 -

CRITICAL AREA PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 500.1 and Section 303.1 To permit an accessory building (detached covered carport) in the front yard with a 16' street right-of-way setback in lieu of the required rear yard and 29' front average setback, respectively.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) The subject dwelling has no rear entrance. A carport in the front yard would permit easier access to the front entrance. In addition, the proposed carport will be located over the existing gravel driveway. Placement of the carport on the North side of the house would require extensive grading and disturbance within the Critical Area Buffer. This project minimizes disturbance and additional paved surfaces within the Chesapeake Bay Critical Area.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):
Charles Vincent Niemeyer

(Type or Print Name)

Signature

(Type or Print Name)

Signature

9302 Howard Avenue (301) 477-5210

Address

Ft. Howard, Maryland 21052

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Steven K. Broyles, P.E.

Name

1922 Middleborough Road (301) 574-2227

Baltimore, Maryland 21221

Address

ORDERED by the Zoning Commissioner of Baltimore County, this 12/3/90 day of December, 1990, that the subject matter of this petition be posted on the property on or before the 12/3/90 day of December, 1990.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this 12/3/90 day of December, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commissioner of Baltimore County on the 12/3/90 day of December, 1990, at 10:00 o'clock, in Room 105, County Office Building in Towson, Baltimore County, on the 12/3/90 day of December, 1990.

ORDER RECEIVED FOR FILING
Date 12/3/90
By [Signature]

max: 11/14/90
est. post. 10/2/1990

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

December 31, 1990

Mr. Charles V. Niemeyer
9302 Howard Avenue
Ft. Howard, Maryland 21052

RE: PETITION FOR ZONING VARIANCE
W/S Howard Avenue, 110' S of the c/l of Bayside Avenue
(9302 Howard Avenue)
15th Election District - 7th Councilmanic District
Charles V. Niemeyer - Petitioner
Case No. 91-106-A

Dear Mr. Niemeyer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: Mr. Steven K. Broyles
1922 Middleborough Road, Baltimore, Md. 21221

People's Counsel

File

Chesapeake Bay Critical Areas Commission
Taves State Office Building, D-4, Annapolis, Md. 21404

DEPREM

5) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated November 15, 1990, attached hereto and made a part hereof.

JRH:bjs

ORDER RECEIVED FOR FILING
Date 12/3/90
By [Signature]

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AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently or upon settlement will reside at

9302 Howard Avenue, Ft. Howard, Maryland 21052

(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

The subject dwelling has no rear entrance. A carport in the front yard would permit easier access to the front entrance. In addition, the proposed carport will be located over the existing gravel driveway. Placement of the carport on the North side of the house would require extensive grading and disturbance within the Critical Area Buffer. This project minimizes disturbance and additional paved

surfaces within the Chesapeake Bay Critical Area.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Charles V. Niemeyer
AFFIANT (Handwritten Signature)
CHARLES V. NIEMEYER
AFFIANT (Printed Name)

AFFIANT (Handwritten Signature)
AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12 day of September, 1990, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Charles V. Niemeyer

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

9-12-90
DATE

Notary Public
My Commission Expires
7-1-94
BALTIMORE COUNTY

cc: Charles Vincent Niemeyer
Steven K. Broyles, P.E.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(801) 887-3353
J. Robert Haines
Zoning Commissioner

October 9, 1990



Dennis F. Rasmussen
County Executive

Mr. Charles V. Niemyer
9302 Howard Avenue
Ft. Howard, MD 21052

RE: Item No. 111, Case No. 91-106-A
Petitioner: Charles V. Niemyer
Petition for Residential Variance

Dear Mr. Niemyer:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(801) 887-3353
J. Robert Haines
Zoning Commissioner



Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this
14th day of September, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman
Zoning Plans Advisory Committee

Petitioner: Charles V. Niemyer

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: October 2, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Charles Niemyer, Item No. 111

The Petitioner requests a Variance to permit an accessory building to the front yard with a 16 ft. street right-of-way setback in lieu of the required rear yard and 29 ft. average setback, respectively.

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEM111/ZAC1

RECEIVED

10/4/90

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(801) 887-4500
Paul H. Reincke
Chief

OCTOBER 9, 1990



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: CHARLES VINCENT NIEMYER

Location: #9302 HOWARD AVENUE

Item No.: *111 Zoning Agenda: OCTOBER 2, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Capt. Jerry Kelly* 10-4-90 Noted and Approved *Capt. David F. Brady Jr.*
Planning Group Fire Prevention Bureau
Special Inspection Division *kel*

JK/REK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
SEPTEMBER 28, 1990

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING
FROM: CHARLES E. BURHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES C-2 B

SUBJECT: ZONING ITEM # 111
PROPERTY OWNER: Charles Vincent Niemyer
CRITICAL
LOCATION: w/s Howard Avenue, 110' S centerline of Bayside Avenue (P2301 Howard Avenue)
SECTION DISTRICT:
COUNCILMANIC DISTRICT:

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- () PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- () PARKING LOCATION () RAMPS (degree slope)
- () NUMBER PARKING SPACES () CURB CUTS
- () BUILDING ACCESS () SIGNAGE
- () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- (X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).
- () OTHER -

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: October 3, 1990
FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for October 2, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 33 (revised), 73, 94, 99, 101, 102, 103, 104, 105, 106, 108, 110, 111 and 112.

Item 107 is subject to the previous County Review Group comments.

For Item 109, a County Review Group Meeting is required. Church Lane is to be improved as a 40-foot paving section on a 60-foot right-of-way.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines
Zoning Commissioner

DATE: November 15, 1990

FROM: Mr. Robert W. Sheesley

SUBJECT: Petition for Zoning Variance - Item 111
Niemyer Property
Chesapeake Bay Critical Area Findings

SITE LOCATION

The subject property is located at 9302 Howard Avenue. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Mr. Charles Vincent Niemyer

APPLICANT PROPOSAL

The applicant has requested a variance from section 400.1 and 303.1 of the Baltimore County Zoning Regulations to permit an accessory building (detached covered carport) in the front yard with a 16 foot street right-of-way setback in lieu of the required rear yard, and a 29 foot front average setback, respectively.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.0>

Memo to Mr. J. Robert Haines
November 15, 1990
Page 2

REGULATIONS AND FINDINGS

1. Regulation: "A minimum 100 foot buffer shall be established landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" <Baltimore County Code Sec. 22-216(a)>.

Finding: This property is located approximately 600 feet from the tidal waters of Shallow Creek. No disturbance of the shoreline buffer shall occur.

2. Regulation: "No dredging, filling, or construction in any wetland shall be permitted. Any wetland must be adequately protected from contamination" <Baltimore County Code Sec. 22-98>

Finding: No tidal or non-tidal wetlands were found on this site, or in the vicinity of the site.

3. Regulation: "The sum of all man-made impervious areas shall not exceed 15% of the lot" <COMAR 14.15.02.04 C.(7)>.

Finding: The proposed carport creates impervious surfaces that total 13% of the lot. The total sum of impervious surfaces shall not be allowed to exceed 15% of the lot.

4. Regulation: "If no forest is established on proposed development sites, these sites shall be planted to provide a forest or developed woodland of at least 15%" <COMAR 14.15.02.04 C.(5)>.

Finding: The following plant material shall be selected from the enclosed list and planted in addition to existing vegetation to provide a 15% forested cover.

Shrub and small tree list: 4 items - ball and burlap or 2 gallon container size

Tree list: 1 items - minimum 4 foot size

Trees are an important factor in improving water quality. The roots of trees greatly improve the infiltration rate of storm water and efficiently remove nitrogen from subsurface flows of groundwater. Trees also act as both a barrier and a sponge, blocking and absorbing eroding soils and the phosphorous associated with them.

Memo to Mr. J. Robert Haines
November 15, 1990
Page 3

5. Regulation: "The stormwater management system shall be designed so that:

- (1) Development will not cause downstream property, watercourses, channels or conduits to receive stormwater runoff at a higher rate than would have resulted from a ten year frequency storm if the land had remained in its predevelopment state;
- (2) Infiltration of water is maximized throughout the site, rather than directing flow to single discharge points; and
- (3) Storm drain discharge points are decentralized to simulate the predevelopment hydrologic regime.
- (4) There is sufficient storage capacity to achieve water quality goals of COMAR 14.15 and to eliminate all runoff caused by the development in excess of that which would have come from the site if it were in its predevelopment state" (Baltimore County Code, Section 22-217(h)).

Findings: In order to comply with the above regulation, rooftop runoff shall be directed through downspouts and into Dutch drains or seepage pits (see attached drainage information sheet). This will encourage maximum infiltration of stormwater and decrease the amount of runoff leaving the site.

CONCLUSION

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above.

Upon compliance with Chesapeake Bay Critical Area Regulations, this project will be approved. If there are any questions, please contact Mr. David C. Flowers at 887-2904.

Robert W. Sheesley
Robert W. Sheesley, Director
Department of Environmental Protection
and Resource Management

RWS:DCF:ju
Attachment
cc: The Honorable Ronald B. Hickerrell
The Honorable Norman W. Lauenstein
The Honorable Dale T. Volz
Mrs. Janice B. Outen
Mr. Charles Niemeyer

PETITIONER'S EXHIBIT # CASE NUMBER: 91-106-A

PHOTOS TO ACCOMPANY
ADMINISTRATIVE ZONING VARIANCE
FOR 9302 HOWARD AVENUE

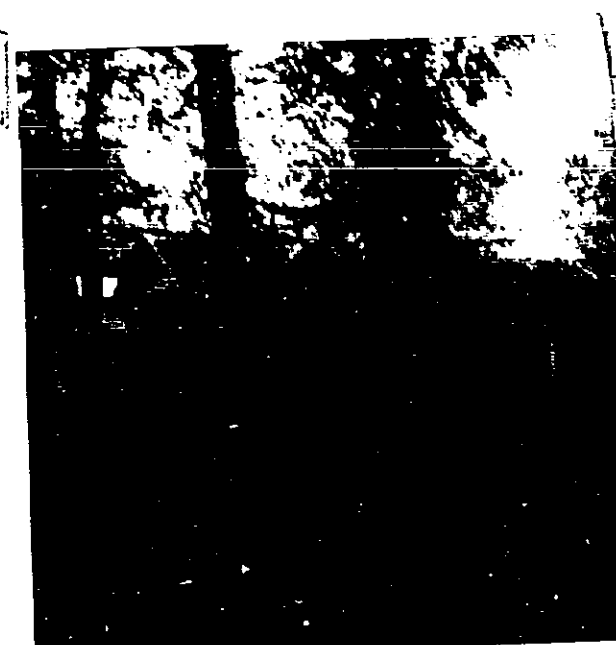


PHOTO # 7

PHOTO # 7
APPROXIMATE LOCATION IF
PROPOSED CARPORT IS
CONSTRUCTED IN THE LEFT
REAR PORTION OF SUBJECT
LOT. SOME TREES WOULD
HAVE TO BE REMOVED.



PHOTO # 8

PHOTO # 8
EXISTING GRAVEL DRIVEWAY

CRITICAL AREA
III

PHOTOS TO ACCOMPANY
ADMINISTRATIVE ZONING VARIANCE
FOR 9302 HOWARD AVENUE

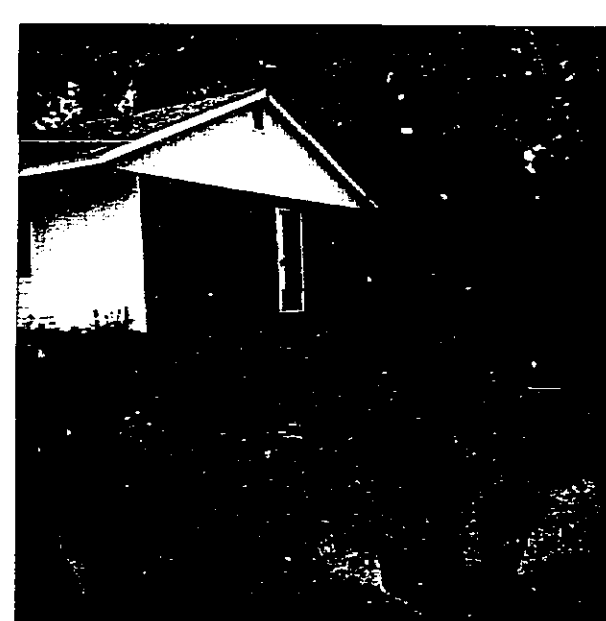


PHOTO # 9

PHOTO # 9
RIGHT SIDE OF SUBJECT
DWELLING

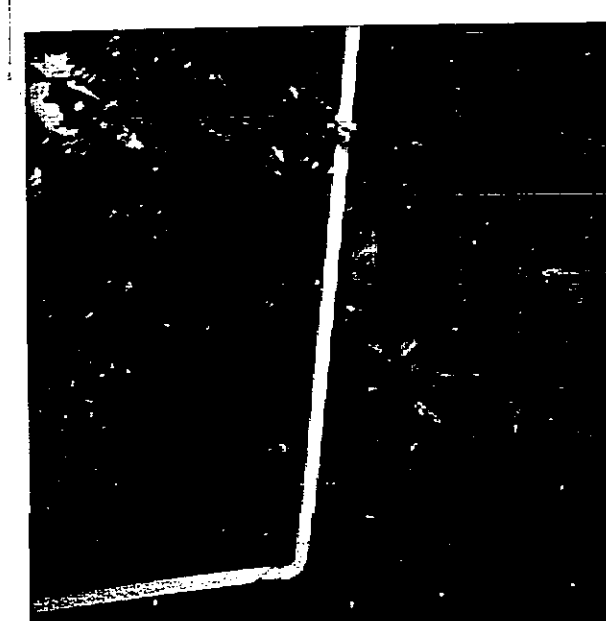


PHOTO # 10

PHOTO # 10
REAR FACE OF SUBJECT
DWELLING
(DESCENDING INTO BACKGROUND)

CRITICAL AREA
III

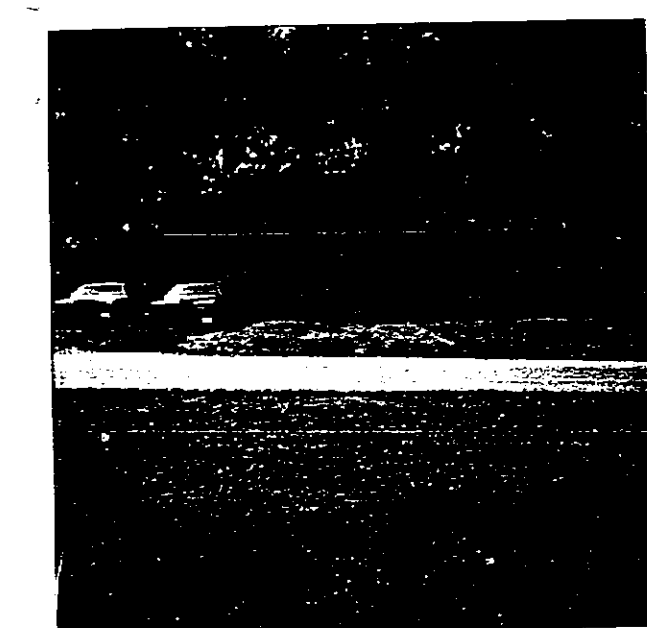


PHOTO # 1

PHOTO # 1
FRONT OF DWELLING
NO. 9302 HOWARD AVENUE

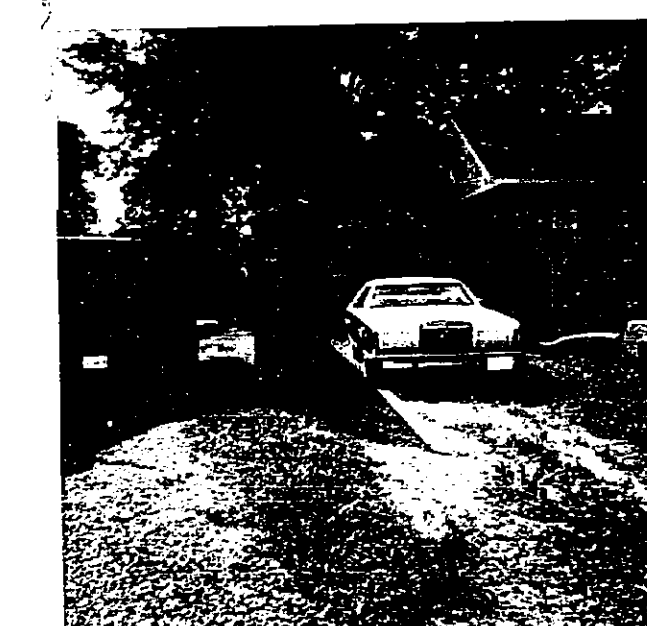


PHOTO # 2

PHOTO # 2
APPROXIMATE LOCATION OF
THE PROPOSED CARPORT IS
WHERE THE WHITE CAR
APPEARS IN THIS PHOTO.

CRITICAL AREA
III

PETITIONER'S EXHIBIT # CASE NUMBER: 91-106-A

PHOTOS TO ACCOMPANY
ADMINISTRATIVE ZONING VARIANCE
FOR 9302 HOWARD AVENUE

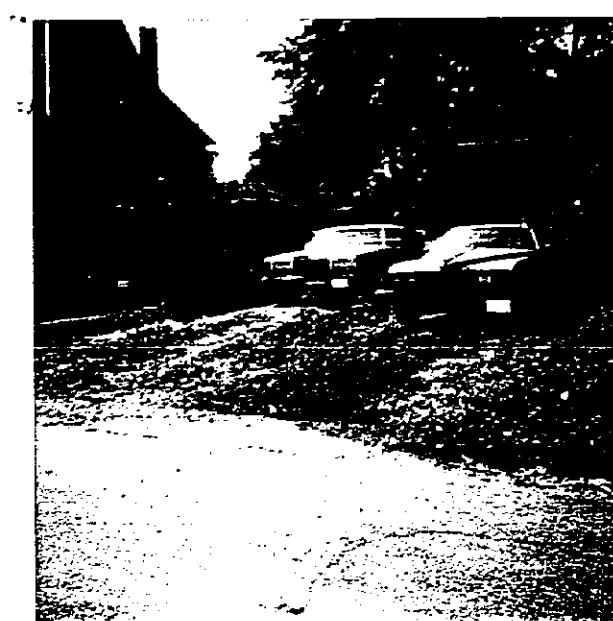


PHOTO # 3

PHOTO # 3
ANOTHER VIEW OF THE PROPOSED
LOCATION OF THE CARPORT.
NOTE: THE 6' HIGH FENCE
ALONG THE PROPERTY LINE.



PHOTO # 4

PHOTO # 4
RIGHT SIDEYARD OF
SUBJECT LOT AND DWELLING
ON ADJACENT LOT (NO. 9300)

CRITICAL AREA
III

PETITIONER'S EXHIBIT # CASE NUMBER: 91-106-A

PHOTOS TO ACCOMPANY
ADMINISTRATIVE ZONING VARIANCE
FOR 9302 HOWARD AVENUE

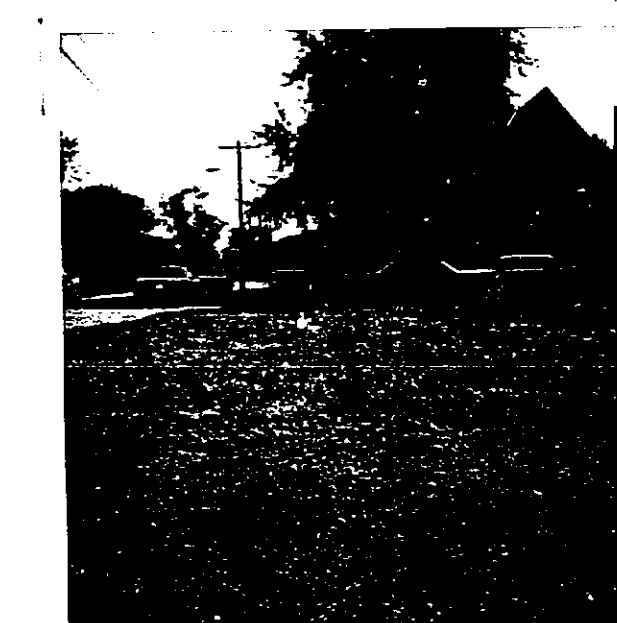


PHOTO # 5

PHOTO # 5
LEFT SIDEYARD OF SUBJECT
LOT AND DWELLING ON
ADJACENT LOT



PHOTO # 6

PHOTO # 6
FRONT AND PORTION OF
RIGHT SIDE OF SUBJECT
DWELLING

CRITICAL AREA
III



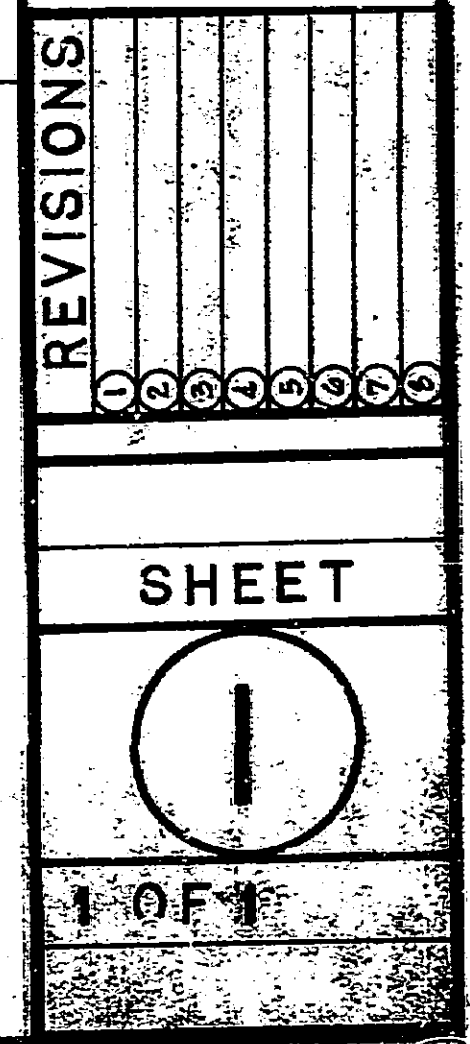
SCALE	LOCATION	SHEET
1" = 200' ±	FORT HOWARD	SE.
DATE OF PHOTOGRAPHY JANUARY 1986	CRITICAL AREA # III	9-1

1.) OWNER: Charles Vincent Niemeyer
2.) SUBDIVISION: North Point Terrace 06/155
3.) ADDRESS: 9302 Howard Ave.
4.) COUNCILMANIC DISTRICT: 7
5.) ELECTION DISTRICT: 15
6.) ZONING: D.R. 5.5
7.) Existing public water and sewer in Howard Ave.
8.) Property lies within Chesapeake Bay Critical Area limited
9.) Developed Area.
10.) PREPARED ZONING HEARINGS: None
11.) LOT SIZE: 11.71 ac .269 ac .026 ac 9.66%
12.) EXISTING IMPERVIOUS: 1,152 sf
13.) PROPOSED IMPERVIOUS: 1,392 sf .032 ac 11.9%



"PLAN TO ACCOMPANY ZONING VARIANCE"
OWNER: CHARLES VINCENT HARMER
ADDRESS: 4302 NEWARK AVENUE

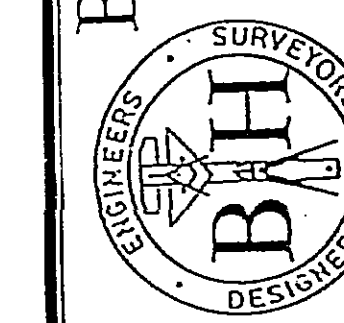
DATE: 7-25-20 SCALE: 1"=20' DWG.BY: K.M.W.



1.) OWNER: Charles Vincent Niemeyer
2.) SUBDIVISION: North Point Terrace 06/155
3.) ADDRESS: 9302 HOWARD AVE.
4.) COUNCILMANIC DISTRICT: 7
5.) ELECTION DISTRICT: 15
6.) ZONING: D.R. 5.5
7.) Existing public water and sewer in Howard Ave.
8.) Property lies within Chesapeake Bay Critical Area Limited
Developed Area.
9.) PRIOR ZONING HEARINGS: None
10.) LOT SIZE: .2117 ac. 260 sq. ft.
11.) EXISTING IMPERVIOUS: 1,152 sf .026 ac 9.66%
12.) PROPOSED IMPERVIOUS: 1,392 sf .032 ac 11.9%



BROYLES, HAYES & ASSOC.
ENGINEERS • DESIGNERS • SURVEYORS
1922 MIDDLEBOROUGH RD.
BALTO, MD. 21221
(301)-574-2227




" PLAN TO ACCOMPANY ZONING VARIANCE "
9302 HOWARD AVE.

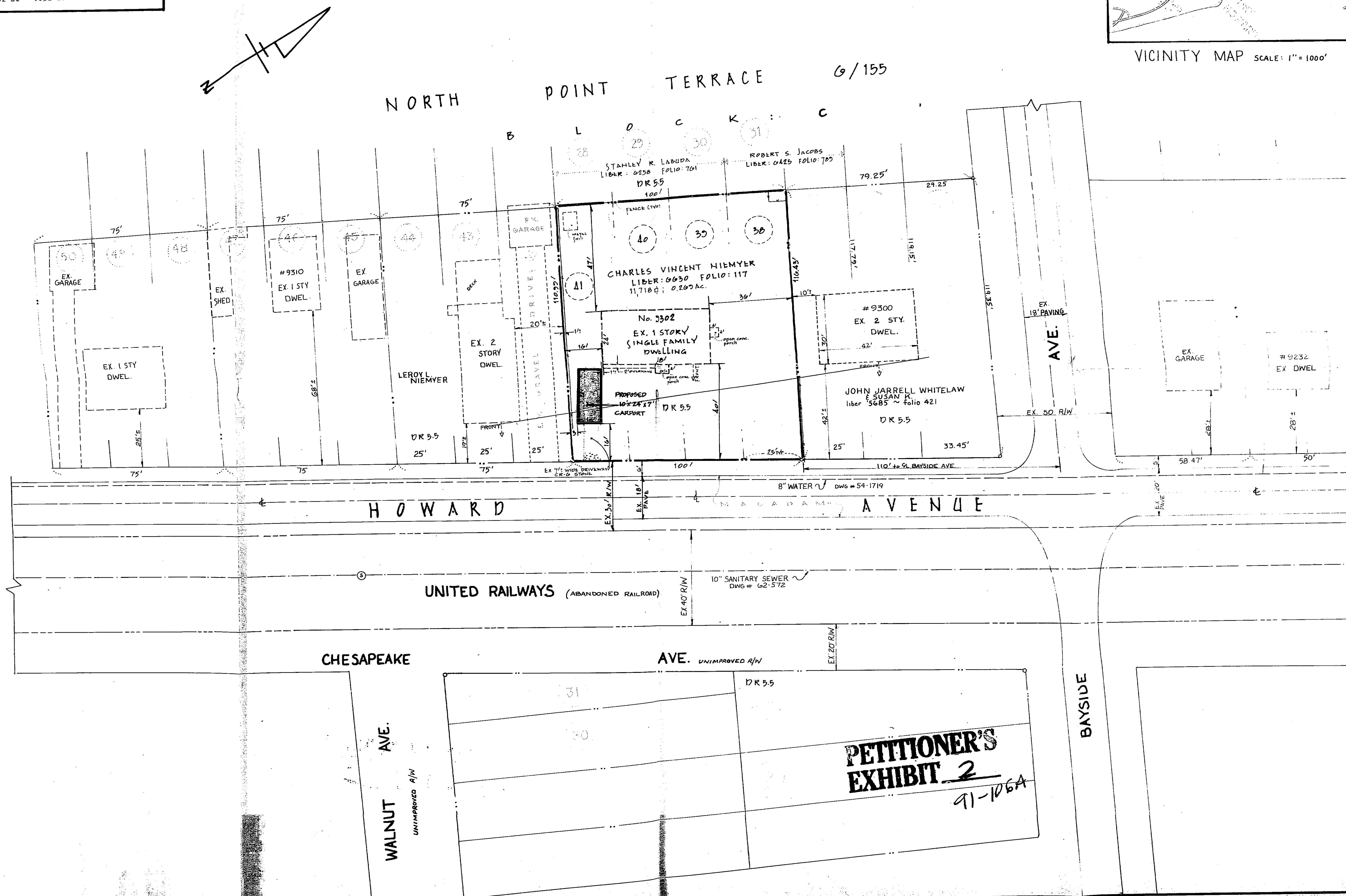
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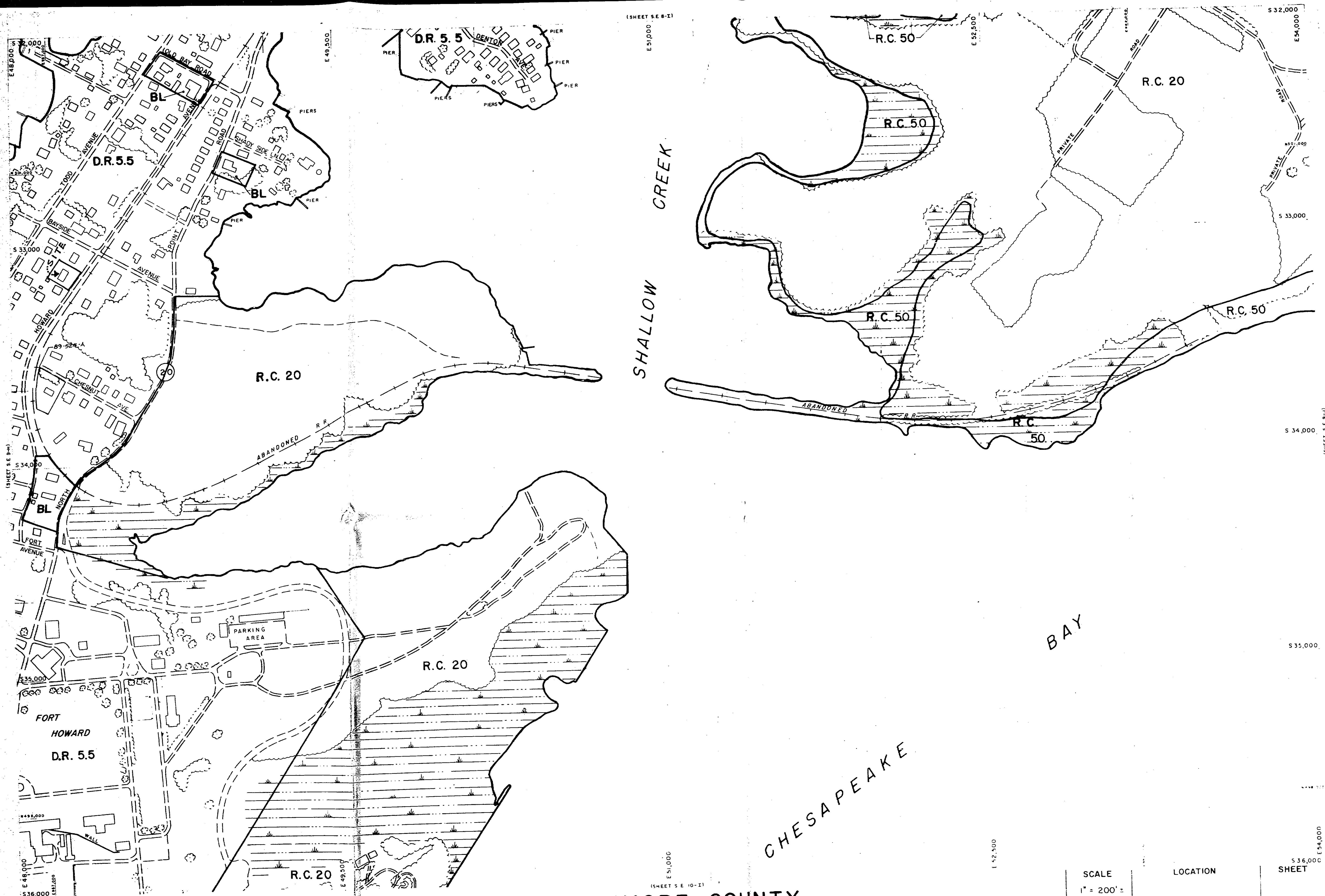
REVISIONS
1
2
3
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8

SHEET



1 OF 1





THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
BIL Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE 1" = 200'	LOCATION FORT HOWARD	SHEET S.E. 9-1
DATE OF PHOTOGRAPHY JANUARY 1986		